

<b>Notice of Allowability</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/618,924	LILIENTHAL, SCOTT E.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Vincent E Kovalick	2673	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to applicant's amendment dated 12/8/04.
2. ☒ The allowed claim(s) is/are 17,18,20,21,23 and 24.
3. ☒ The drawings filed on 18 July 2000 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
  1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |   |  |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)  | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment                               |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material          | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance   |
|   | 9. <input type="checkbox"/> Other _____.   |

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## **DETAILED ACTION**

### ***Response to Amendment***

1. This Office Action is in response to Applicant's Amendment dated December 8, 2004, in response to USPTO Final Office Action dated September 10, 2004.

Claims 2-5, 8, 9, 12-15, 17, 18 and 20-26 are pending in this application. With this amendment claims 2-5, 8, 9, 12-15, 22 and 25-26 are cancelled; claims 1, 6-7, 10-11, 16 and 19 were previously cancelled. Claims 17-18, 20-21 and 23-24 remain pending. The said claim cancellations place the Application in a condition for allowance as indicated herein below.

### ***Examiner's Amendment***

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

3. Authorization for this examiner's amendment was given in a telephone interview with Applicant's Attorney, Mr. William S. Ramsey, Reg. No. 32,715 in telecon on December 29, 2004

- o On page 2 of Applicant's Amendment:

- 4<sup>th</sup> printed line, preceding the word "(canceled)" please delete "1-17" and

- insert ---1-16---

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- o On pages 2/3 of Applicant's Amendment:  
please delete the entire text of claim 22, (now canceled); in the parentheses following the numbers "22", please delete "previously presented" and insert the word ---canceled---
- o On page 5 of Applicant's Amendment:  
line 2 of text, in the series of numbers "2-5, 8, 9, 12-15, 25 and 26" please delete and insert the number series ---2-5, 8, 9, 12-15, 22, 25 and 26---
- o On page 5 of Applicant's Amendment:  
in the first line following the heading ALLOWABLE SUBJECT MATTER please delete "and 20-24" and replace with ---20-21 and 23-24---

*Allowable Subject Matter*

4. Claims 17-18, 20-21 and 23-24 are allowed.

5. The following is an examiner's statement of reasons for allowance:

Relative to claims 23, the major difference between the teachings of the prior art of record (USP 5,761,485, Munyan; USP 6,694,200, Naim and USP 4,997,374, Simone) and that of the instant invention is that said prior art of record **does not teach** the process of displaying information in a portable paperless book comprising a visual display system, an audible display system, a digital storage system for visual and audible information, a temporary storage site, and a power system containing a battery for powering the portable paperless book, wherein the visual information is a printed book with words electronically displayed on the visual display for reading and may be electronically erased from the visual display after the words are read,

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controls for the erasure of the visual display after the words are read, and the audible information is electronically synthesized words of the printed book which are synthesized in synchrony with the words electronically displayed on the visual display, wherein the visible information may be read under constantly changing conditions when the conditions favor visible reading, and the audible information may be listened to under constantly changing conditions when the conditions favor listening to audible information comprising the steps: a. downloading visual and audible information from a digital storage device into the temporary storage site, b. displaying a page of printed words from the temporary storage site on a visual display, and c. displaying audible expression of the words of the page of printed words from the temporary storage site on an audible display, the display of audible material simultaneously with the display of words of the page of printed words.

Regarding claim 24 the major difference between the teachings of the prior said art of record and that of the instant invention is that said prior art of record **does not teach** a paperless book comprising: a housing, a central processing unit, ROM reader, permanent memory unit, and temporary memory unit mounted within the housing, a visual display, power jack, head-mounted visual display housing jack, audible display housing jack, scroll button, select button, play button, stop or pause button, directional control buttons, volume control dial, brightness control dial, door for inserting ROM, and shoulder strap, mounted on the housing, earphones, connecting wires, and an earphone jack, the earphone jack connected to the audible display Housing jack, a head-mounted visual display, connecting wire, and visual display jack, the visual display jack connected to the head-mounted visual display housing jack, and a battery for powering the paperless book, wherein audible information is electronically synthesized words of the printed

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book which are synthesized in synchrony with the words electronically displayed on the visual display, wherein the visible information may be read under constantly changing conditions when the conditions favor visible reading, and the audible information may be listened to under constantly changing conditions when the conditions favor listening to audible information.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### *Conclusion*

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

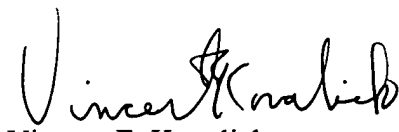
U. S. Patent No.	6,384,808	Azami
U. S. Patent No.	6,243,071	Shwartz
U. S. Patent No.	5,893, 132	Huffman et al.
U. S. Patent No.	5,239,665	Tsuchiya
U.S. Patent No.	5,631,883	Li


***Responses***

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Vincent E Kovalick whose telephone number is 703 306-3020. The examiner can normally be reached on Monday-Thursday 7:30- 4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bipin Shalwala can be reached on 703 305-4938. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Vincent E. Kovalick  
December 29, 2004

  
BIPIN SHALWALA  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600